

STATE OF WISCONSIN

CIRCUIT COURT

WALWORTH CO 2018CV000315

Honorable David M.
Reddy
Branch 4

US Bank Trust National Association
as Trustee of American Homeowner
Preservation Trust Series 2015A+
819 South Wabash Ave., Suite 606
Chicago, IL 60605

SUMMONS

Case No.

Case Code 30404
(Foreclosure of Mortgage)
The amount claimed exceeds \$10,000.00

vs.

Jesus S. Casillas
395 East Oxford Street
Cotulla, TX 78014

Francisca R. Casillas
395 East Oxford Street
Cotulla, TX 78014

Defendants.

THE STATE OF WISCONSIN

To each person named above as a defendant:

You are hereby notified that the plaintiff above has filed a lawsuit or other legal action against you. The complaint, which is attached, states the nature and basis of the legal action.

Within 20 days of receiving this summons (60 days if you are the United States of America, 45 days if you are the State of Wisconsin or an insurance company), you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the court, whose address is set forth below, and to the plaintiff's attorney, at the address set forth below. You may have an attorney help or represent you.

If you do not provide a proper answer within 20 days (60 days if you are the United States of America, 45 days if you are the State of Wisconsin or an insurance company), the court may grant

judgment against you for the award of money or other legal action requested in the complaint, and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated the 15th day of May, 2018

Beatrice Garrett
Attorney for Plaintiff

By: Beatrice Garrett
Beatrice Garrett
State Bar No. 1054877
9163 West Hawthorne Ave. #3
Milwaukee, WI 53226

Address of Court:

Walworth County Judicial Center
1800 County Trunk NN
P.O. Box 1001
Elkhorn, WI 53121

This is an attempt to collect a debt and any information obtained will be used for that purpose. If you have previously received a discharge of this debt in a Chapter 7 bankruptcy case, or are currently in a bankruptcy case, this notice is not intended as an attempt to collect a debt against you personally, and this company has a security interest in the property and will only exercise its right as against the property.

STATE OF WISCONSIN

CIRCUIT COURT

WALWORTH COUNTY

US Bank Trust National Association
as Trustee of American Homeowner
Preservation Trust Series 2015A+
819 South Wabash Ave., Suite 606
Chicago, IL 60605

COMPLAINT

Case No.

Case Code 30404
(Foreclosure of Mortgage)
The amount claimed exceeds \$10,000.00

Plaintiff,

vs.

Jesus S. Casillas
395 East Oxford Street
Cotulla, TX 78014

Francisca R. Casillas
395 East Oxford Street
Cotulla, TX 78014

Defendants.

Plaintiff, by its attorney, Beatrice Garrett, pleads as follows:

1. The Plaintiff is the current holder of a certain note and recorded mortgage on real estate located in this county, a true copy of the note is attached hereto as Exhibit A and is incorporated by reference. A true copy of the mortgage is attached hereto as Exhibit B and is incorporated by reference.
2. The mortgaged real estate is owned of record by Jesus S. Casillas and Francisca R. Casillas.
3. There has been a failure to make contractual payments as required, and there is now due and owing to plaintiff the principal sum of \$149,371.94 together with interest from the 1st day of May, 2011.
4. The plaintiff has declared the indebtedness immediately due and payable by reason of the default in payments and has directed that foreclosure proceedings be instituted.

5. The mortgaged premises is a parcel of land which is 20 acres or less; with a one to four family residence thereon which is not occupied as the homestead of the defendants; said premises cannot be sold in parcels without injury to the interests of the parties.

6. The mortgagors expressly agreed to the reduced redemption period provision contained in Chapter 846 of the Wisconsin Statutes; the plaintiff hereby elects to proceed under section 846.103(2) with a three month period of redemption, thereby waiving judgment for any deficiency against every party who is personally liable for the debt, and to consent that the owner, unless he or she abandons the property, may remain in possession and be entitled to all rents and profits therefrom to the date of confirmation of the sale by the court.

7. No proceedings have been had at law or otherwise for the recovery of the sums secured by said note and mortgage except for the present action, and all conditions precedent to the commencement of this action are satisfied.

8. WHEREFORE, the plaintiff demands,

1. Judgment of foreclosure and sale of the mortgaged premises in accordance with the provisions of section 846.103(2) of the Wisconsin Statutes, with plaintiff expressly waiving its right to obtain a deficiency judgment against any defendant in this action.

2. That the amounts due to the plaintiff for principal, interest, taxes, insurance, costs of suit and attorney fees be determined.

3. That the defendants, and all persons claiming under them be barred from all right in said premises, except that right to redeem.

4. That the premises be sold for payment of the amount due to the plaintiff, together with interest, reasonable attorney fees and costs, costs of sale and any advances made for the benefit and preservation of the premises until confirmation of sale.

5. That the defendants and all persons claiming under them be enjoined from committing waste or doing any act that may impair the value of the mortgaged premises; and
That the plaintiff have such other and further judgment or relief as may be just and equitable.

Dated the 15th day of May, 2018

Beatrice Garrett
Attorney for Plaintiff

By: Beatrice Garrett
Beatrice Garrett
State Bar No. 1054877
9163 West Hawthorne Ave. #3
Milwaukee, WI 53226
(414) 403-8398

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State of Wisconsin } ss
County of Walworth

I, Kristina M. Secord, Clerk of the Circuit Court
of Walworth County, Wisconsin, and keeper of the
records and files thereof, do hereby certify that
foregoing is a true and correct copy of the original
document as it appears in the files in my office.
Dated this 28 day of July 2021